

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2008 MAY -6 AM 9:54

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ramon MEDINA-Juarez,

Defendant

) Magistrate Docket No.

) '08 MJ 1426

) COMPLAINT FOR VIOLATION OF: DEPUTY

) Title 8, U.S.C., Section 1326

) Deported Alien Found in the

) United States

The undersigned complainant, being duly sworn, states:

On or about **May 5, 2008** within the Southern District of California, defendant, **Ramon MEDINA-Juarez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

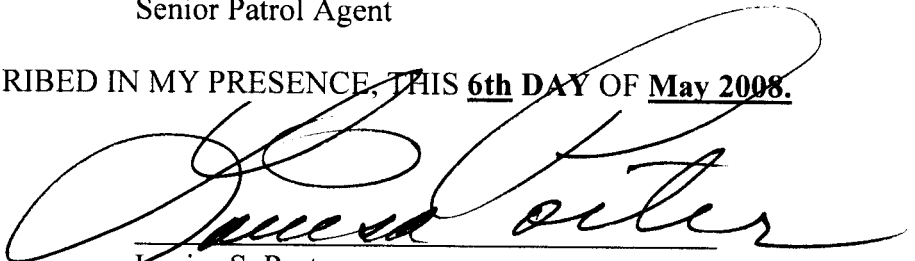


SIGNATURE OF COMPLAINANT

Terri L. Dimolios

Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 6th DAY OF May 2008.



Louisa S. Porter

UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Ramon MEDINA-Juarez

PROBABLE CAUSE STATEMENT

On May 05, 2008, Border Patrol Agent Paul A. Shepard was assigned to the All Terrain Vehicle Unit patrolling the Imperial Beach Border Patrol Station area of operations. At approximately 7:25 a.m., Agent Shepard responded to a call from the infrared scope operator, via service radio of two individuals running north in an area known as "East Smugglers". East Smugglers is approximately three miles west of the San Ysidro, California Port of Entry and approximately 200 yards north of the United States/Mexico International Boundary Fence.

Upon arrival at the designated location, Agent Shepard was able to locate the two individuals observed running north attempting to conceal themselves in some heavy brush. Agent Shepard identified himself as a United States Border Patrol Agent and questioned the individuals as to their citizenship and nationality. Both the individuals including one later identified as the defendant **Ramon MEDINA-Juarez**, admitted to being citizens and nationals of Mexico in the United States illegally without any valid immigration documents. At approximately 07:30 a.m., Agent Shepard placed both of the individuals under arrest and transported them to the Imperial Beach Border Patrol Station.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on June 25, 2007 through El Paso, Texas. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.